IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SHOW CAUSE NOTICE NO. 1472 OF 2005
IN
SHOW CAUSENOTICENO. 676 OF 2004
IN
REFERENCE NO.18 OF 2003
IN
APPEAL NO. 86 OF 2002

PROF. MS. PATIL NEETA MAHESH ... APPELLANT.
VS.
THE PRINCIPAL, JOSHI & BEDEKAR
COSLLEGE OF ARTS & COMMERCE, CLERK
LAND, CHANDANI BUNDER ROAD, THANE
WEST, MUMBAI 400 061 ... RESPONDENTS.

NONE FOR THE PETITIONER.
MR. M.D.NAIK AGP FOR THE RESPONDENTS.

Coram : S.K.Shah, J.
Date : October 20, 2006.

P.C.

1. Show Cause Notice was issued as a result of the reference made by the Mumbai University and College Tribunal, as the respondents did not comply with the Order, dated 17th December, 2002, passed by it. As per that Order, the respondent NO. 4 i.e. the Joint Director of Higher Education, Mumbai Region,Elphinston Technical School, was directed to reimburse the salary payable to the appellant - petitioner by virtue of the said Order, dated 3.10.2003 and it was further directed to the College to send the salary bill to the respondent No.4, who shall pay salary and arrears accordingly. Since those arrears were not paid to the Petitioner in M.A. No. 18 of 2003, which was made before the Tribunal, whereupon the present reference has been made to this Court. On receipt of the reference, show cause notice came to be issued.

2. The Petitioner has been remaining absent. However, there is affidavit, now filed by Dr. Madhukar Sahebrao Andhale, Joint Director of Higher Education, Mumbai dated 20th October, 2006 stating therein that they had directed the Respondent NO.1 College to prepare the bill for arrears, to be paid to the Petitioner. Accordingly, the same was received and they had placed the funds at the disposal of the college and, thereupon the Respondent NO.1 - College had issued cheque No. 991230, dated 14th July, 2006, drawn on Bank of India, Thane Branch, in favour of the Petitioner for the sum of Rs. 2,79,974/- and the same has been communicated by Respondent NO.1 to the Respondent NO. 4 by way of letter, dated 14th July, 2006. Under the circumstance, the the directions given by the Tribunal, as aforesaid, have been complied with.

3. By this affidavit, Respondents have tendered an unconditional apology for the delay in complying with the Order. The unconditional apology is accepted.

4. Now the Order has been complied with. As such

the reference stands disposed of. No action is necessary to be taken, hence, both the show cause notices bearing No. 676 of 2004 and 1472 of 2005 stand discharged.

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[S.K.Shah , J.]